



Paper No. 30

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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***Ex parte*** KONSTANTINE I. IOURCHA, CHUNG-KUANG CHIN  
and ZHOU HONG

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Application No. 09/371,972

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**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

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This application was received at the Board of Patent Appeals and Interferences on October 22, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

An Information Disclosure Statement (IDS) was filed January 3, 2000. It is not apparent from the record that the examiner properly considered the IDS submitted nor notified appellants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application 09/371,972

Accordingly, it is

ORDERED that the application is returned to the Examiner for ;

1) consideration of the January 3, 2000 IDS, 2) written notification to appellant regarding the result of the examiner's consideration, and 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES



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